

1001 G Street, N.W.
Suite 500 West
Washington, D.C. 20001
tel. 202.434.4100
fax 202.434.4646

Writer's Direct Access

July 15, 2011

Greg Kunkle
(202) 434-4178
kunkle@khlaw.com

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, D.C. 20554

Re: PS Docket No. 11-60
PS Docket No. 10-92
EB Docket No. 06-119
Ex Parte Notice

Dear Ms. Dortch:

On July 14, 2011, Dennis Skruhak, Chairman of the Telecommunications Subcommittee of the American Petroleum Institute ("API"), James Crandall of API, Lee Gaspard of Shell Oil, Steve Martz of TransCanada, Lee Spencer of ExxonMobil and the undersigned, had a conference call with Jeff Goldthorp and Jane Kelly of the Public Safety and Homeland Security Bureau to discuss the API Telecommunications Subcommittee's views on the April 7, 2011 Notice of Inquiry released in the above-captioned proceeding.

API's representatives stated that oil and natural gas companies likely are some of the largest enterprise users of carrier wireless and wireline services, but that such services are not suitable for certain applications, particularly those used to support mission critical security and safety of life and property functions. API's members see several challenges inherent in the use of carrier networks for mission critical applications, including availability, resiliency, capacity (particularly during emergencies), and restoration priority. API noted favorably the comments filed in this proceeding by the Utilities Telecom Council and Edison Electric Institute, which expressed similar concerns.

API provided several examples in which commercial carrier services are ill-suited for certain oil and natural gas industry applications. For example, because devices used by the oil and natural gas industry must be intrinsically safe (i.e., designed so as not to ignite flammable gases present in the atmosphere) consumer cell phones are not permitted within refineries or at other oil and natural gas facilities. Mission critical applications also typically require higher levels of reliability and redundancy than readily available through commercial networks. Carrier

Marlene H. Dortch, Secretary
July 15, 2011
Page 2

network operations centers traditionally are focused on consumer devices and have been slow to adapt services to resolve issues with industrial devices in an expedient manner.

API noted that the Commission has increasingly favored carriers in its spectrum allocation policies and as a result, private wireless users are increasingly constrained in their ability to move to next generation services. API recommended that the Commission allocate spectrum for exclusive critical infrastructure use so that U.S. critical infrastructure industries are able to meet internal communications requirements in the future.

Pursuant to Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b), a copy of this letter is being filed electronically for inclusion in the public record of this proceeding. Please contact me if you have any questions.

Sincerely,



Greg Kunkle

cc: Jeff Goldthorp
Jane Kelly